

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
----- X

UNITED STATES OF AMERICA, COMPLAINT

Plaintiff,

Civil Action No.  
CV-

- against -

Ahmad A. Shohadaee aka Ahmad A.  
Shohadee aka Ahmad Ali Shohadaee  
aka A.A. Shohadaee

Defendant.

----- X

The United States of America alleges that:

FIRST: Jurisdiction is conferred upon this Court pursuant to Title 28,

United States Code, Section 1345.

SECOND: On information and belief, the Defendant resides within the

Eastern District of New York at 711 Willis Ave, 2E, Williston Park, NY 11596.

THIRD: This lawsuit is filed for a sum certain due the Plaintiff.

FOURTH: The Defendant owes the United States the principal sum of \$13,258.91 plus interest accrued through May 13, 2019 in the amount of \$25,798.27 with interest continuing to accrue at the annual rate of \$2.90 per diem in accordance with the Certificate of Indebtedness, incorporated herein by reference, annexed hereto as Exhibit A.

FIFTH: No part of the aforesaid sum has paid, although duly demanded.

WHEREFORE, the United States demands judgment against defendant as follows:

1. In the amount of \$39,057.18, that is, \$13,258.91 in principal, \$25,798.27 in

interest as of 5/13/19.

2. Pre-judgment interest at the annual rate of \$2.90 per day from May 14, 2019 through the date of judgment on the amount set forth in subparagraph 1, above,
3. Post-judgment interest, pursuant to 28 U.S.C. § 1961 at the legal rate then in effect, from the date of entry of judgment until the judgment is paid in full;
4. Administrative costs of suit; and
5. Such other relief as this Court may deem just and proper.

Dated: New York, New York  
July 2, 2019

Respectfully submitted,

BY: /s/ John S. Manfredi  
John S. Manfredi  
ATTORNEY FOR THE UNITED STATES OF  
AMERICA  
Manfredi Law Group, PLLC  
302 East 19<sup>th</sup> St. Suite 2A  
New York, New York 10003  
PH: 347 614 7006  
Fax 347 332 1740

## Exhibit A

**U.S. DEPARTMENT OF EDUCATION  
SAN FRANCISCO, CALIFORNIA**

**CERTIFICATE OF INDEBTEDNESS #1 OF 1**

Ahmad A Shohadaee  
aka: Ahmad Ali Shohadaee, A.A. Shohadaee  
711 Willis Ave Apt 2E  
Williston Park, NY 11596  
Account No. XXXXX6664

I certify that U.S. Department of Education records show that the borrower named above is indebted to the United States in the amount stated below plus additional interest from 05/13/19.

On or about 09/07/86 and 11/15/87, the borrower executed promissory note(s) to secure loan(s) of \$5,000.00 and \$7,500.00 from Traders National Bank, Tullahoma, TN. This loan was disbursed for \$5,000.00 on 01/05/87 and \$7,500.00 on 03/04/88, at 8.00 percent interest per annum. The loan obligation was guaranteed by TENNESSEE STUDENT ASSISTANCE CORPORATION, and then reinsured by the Department of Education under loan guaranty programs authorized under Title IV-B of the Higher Education Act of 1965, as amended, 20 U.S.C. 1071 et seq. (34 C.F.R. Part 682). The holder demanded payment according to the terms of the note, and credited \$0.00 to the outstanding principal owed on the loan. The borrower defaulted on the obligation on 07/20/91, and the holder filed a claim on the loan guarantee.

Due to this default, the guaranty agency paid a claim in the amount of \$13,258.91 to the holder. The guarantor was then reimbursed for that claim payment by the Department under its reinsurance agreement. Pursuant to 34 C.F.R. § 682.410(b)(4), once the guarantor pays on a default claim, the entire amount paid becomes due to the guarantor as principal. The guarantor attempted to collect this debt from the borrower. The guarantor was unable to collect the full amount due, and on 07/13/01, assigned its right and title to the loan to the Department.

Since assignment of the loan, the Department has credited a total of \$2,989.00 in payments from all sources, including Treasury Department offsets, if any, to the balance. After application of these payments, the borrower now owes the United States the following:

Principal:	\$13,258.91
Interest:	\$25,798.27
Total debt as of 05/13/19:	\$39,057.18

Interest accrues on the principal shown here at the rate of \$2.90 per day.

Pursuant to 28 U.S.C. § 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 5/13/19

  
\_\_\_\_\_  
Loan Analyst  
Litigation Support Unit

UNITED STATES DISTRICT COURT  
for the

\_\_\_\_\_ District of \_\_\_\_\_

*Plaintiff(s)*

v.

*Defendant(s)*

Civil Action No.

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**SUMMONS IN A CIVIL ACTION**

To: (*Defendant's name and address*)

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**DOUGLAS C. PALMER**  
*CLERK OF COURT*

Date: \_\_\_\_\_

*Signature of Clerk or Deputy Clerk*

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

**(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))**

This summons for (*name of individual and title, if any*) \_\_\_\_\_  
was received by me on (*date*) \_\_\_\_\_.

- I personally served the summons on the individual at (*place*) \_\_\_\_\_  
on (*date*) \_\_\_\_\_; or
- I left the summons at the individual's residence or usual place of abode with (*name*) \_\_\_\_\_,  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on (*date*) \_\_\_\_\_, and mailed a copy to the individual's last known address; or
- I served the summons on (*name of individual*) \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of (*name of organization*) \_\_\_\_\_  
on (*date*) \_\_\_\_\_; or
- I returned the summons unexecuted because \_\_\_\_\_; or
- Other (*specify*): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

\_\_\_\_\_ *Printed name and title*

\_\_\_\_\_ *Server's address*

Additional information regarding attempted service, etc:

## Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<p><b>I. (a) PLAINTIFFS</b> United States of America</p> <p>(b) County of Residence of First Listed Plaintiff _____ <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i></p> <p>(c) Attorneys (Firm Name, Address, and Telephone Number) John Manfredi Manfredi Law Group, PLLC 302 East 19<sup>th</sup> Street, Suite 2A, New York, New York 10003 ph 347 614 7006</p>		<p><b>DEFENDANTS</b> Ahmad A. Shohadaee aka Ahmad A. Shohadee aka Ahmad Ali Shohadaee aka A.A. Shohadaee</p> <p>County of Residence of First Listed Defendant _____ <i>(IN U.S. PLAINTIFF CASES ONLY)</i></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys (If Known) N/A</p>																								
<p><b>II. BASIS OF JURISDICTION</b> (Place an "X" in One Box Only)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">X 1 U.S. Government Plaintiff</td> <td style="width: 50%;">3 Federal Question <i>(U.S. Government Not a Party)</i></td> </tr> <tr> <td>2 U.S. Government Defendant</td> <td>4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i></td> </tr> </table>		X 1 U.S. Government Plaintiff	3 Federal Question <i>(U.S. Government Not a Party)</i>	2 U.S. Government Defendant	4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i>	<p><b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> (Place an "X" in One Box for Plaintiff and One Box for Defendant) <i>(For Diversity Cases Only)</i></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Citizen of This State</td> <td style="width: 50%;">PTF DEF</td> <td style="width: 50%;">PTF DEF</td> </tr> <tr> <td>Citizen of Another State</td> <td>' 1 ' 2</td> <td>Incorporated or Principal Place of Business In This State</td> <td>' 4 ' 4</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td>' 3</td> <td>Incorporated and Principal Place of Business In Another State</td> <td>' 5 ' 5</td> </tr> <tr> <td></td> <td></td> <td>Foreign Nation</td> <td>' 6 ' 6</td> </tr> </table>		Citizen of This State	PTF DEF	PTF DEF	Citizen of Another State	' 1 ' 2	Incorporated or Principal Place of Business In This State	' 4 ' 4	Citizen or Subject of a Foreign Country	' 3	Incorporated and Principal Place of Business In Another State	' 5 ' 5			Foreign Nation	' 6 ' 6				
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<p><b>V. ORIGIN</b> (Place an "X" in One Box Only)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">X 1 Original Proceeding</td> <td style="width: 25%;">□ 2 Removed from State Court</td> <td style="width: 25%;">□ 3 Remanded from Appellate Court</td> <td style="width: 25%;">□ 4 Reinstated or Reopened</td> </tr> <tr> <td></td> <td></td> <td></td> <td style="text-align: center;">□ 5 Transferred from Another District <i>(specify)</i></td> </tr> <tr> <td></td> <td></td> <td></td> <td style="text-align: center;">□ 6 Multidistrict Litigation</td> </tr> </table>				X 1 Original Proceeding	□ 2 Removed from State Court	□ 3 Remanded from Appellate Court	□ 4 Reinstated or Reopened				□ 5 Transferred from Another District <i>(specify)</i>				□ 6 Multidistrict Litigation											
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<p><b>VII. REQUESTED IN COMPLAINT:</b></p>		<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.		<b>DEMAND \$39057.18</b>																						
<p>CHECK YES only if demanded in complaint: <b>JURY DEMAND:</b> No</p>																										
<p><b>VIII. RELATED CASE(S)</b></p>																										

**IF ANY**

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EDGE \_\_\_\_\_ BOOKS

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RECEIPT #

#### AMOUNT

DISPLAYING JEP

JUDGE

MAG. JUDGE

## **CERTIFICATION OF ARBITRATION ELIGIBILITY**

Local Arbitration Rule 83.7 provides that with certain exceptions, actions seeking money damages only in an amount not in excess of \$150,000, exclusive of interest and costs, are eligible for compulsory arbitration. The amount of damages is presumed to be below the threshold amount unless a certification to the contrary is filed.

Case is Eligible for Arbitration  X

I, \_\_\_\_\_, counsel for \_\_\_\_\_, do hereby certify that the above captioned civil action is ineligible for compulsory arbitration for the following reason(s):



monetary damages sought are in excess of \$150,000, exclusive of interest and costs,

the complaint seeks injunctive relief,

the matter is otherwise ineligible for the following reason

## **DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1**

Identify any parent corporation and any publicly held corporation that owns 10% or more or its stocks:

## **RELATED CASE STATEMENT (Section VIII on the Front of this Form)**

Please list all cases that are arguably related pursuant to Division of Business Rule 50.3.1 in Section VIII on the front of this form. Rule 50.3.1 (a) provides that "A civil case is "related" to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or because the cases arise from the same transactions or events, a substantial saving of judicial resources is likely to result from assigning both cases to the same judge and magistrate judge." Rule 50.3.1 (b) provides that "A civil case shall not be deemed "related" to another civil case merely because the civil case: (A) involves identical legal issues, or (B) involves the same parties." Rule 50.3.1 (c) further provides that "Presumptively, and subject to the power of a judge to determine otherwise pursuant to paragraph (d), civil cases shall not be deemed to be "related" unless both cases are still pending before the court."

## **NY-E DIVISION OF BUSINESS RULE 50.1(d)(2)**

- 1.) Is the civil action being filed in the Eastern District removed from a New York State Court located in Nassau or Suffolk County? No
- 2.) If you answered "no" above:
  - a) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in Nassau or Suffolk County? Yes
  - b) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in the Eastern District? Yes
  - c) If this is a Fair Debt Collection Practice Act case, specify the County in which the offending communication was received: .

If your answer to question 2 (b) is "No," does the defendant (or a majority of the defendants, if there is more than one) reside in Nassau or Suffolk County, or, in an interpleader action, does the claimant (or a majority of the claimants, if there is more than one) reside in Nassau or Suffolk County?

*(Note: A corporation shall be considered a resident of the County in which it has the most significant contacts).*

## **BAR ADMISSION**

I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court.

Yes

Are you currently the subject of any disciplinary action (s) in this or any other state or federal court?

No

I certify the accuracy of all information provided above.

**Signature:** /s/ John Manfredi

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